

ORIGINAL

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11/15/02

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

TYRONE P. JAMES,

Plaintiff

v.

YORK COUNTY POLICE
DEPARTMENT, AGENT JAMES H.
MORGAN, DET. RICHARD
PEDDICORD, DET. RAYMOND E.
CRAUL, SGT. GENE FELS, DET.
KESSLER, C/O BAYLARK,

Defendants :

No. 1:CV-01-1015

Judge Kane

FILED
HARRISBURG, PA
JAN 14 2002

MARY E. D'ANDREA
Deputy Clerk

**MOTION FOR ENLARGEMENT OF TIME TO ANSWER
PLAINTIFF'S COMPLAINT AND AMENDED COMPLAINT**

Defendants Morgan, Peddicord, Craul, Fells, Kessler, Westmoreland and Glowczeski (State Defendants), by their attorneys, hereby respectfully move the Court, pursuant to Fed. R. Civ. P. 6(b), to enlarge the time to answer Plaintiff's Complaint and Amended Complaint and in support state as follows:

1. By order dated December 18, 2001, the Court directed State Defendants to respond to Plaintiff's Complaint on or before December 31, 2001.
2. On December 28, 2001, State Defendants filed a Motion to Dismiss.
3. On January 14, 2002, State Defendants filed a Brief in Support of the Motion to Dismiss.
4. While the Motion to Dismiss attacks many of Plaintiff's claims, it does

not request that all claims against all State Defendants be dismissed.

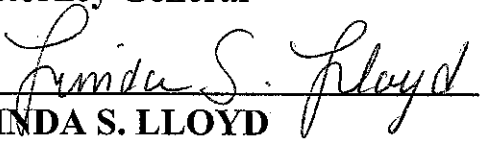
5. In light of the fact that not all claims could potentially be disposed of by the Motion to Dismiss, State Defendants request an enlargement of time to answer Plaintiff's Complaint and Amended Complaint until such time that the Court rules on State Defendants' Motion to Dismiss.
6. State Defendants request this in the interest of saving the time and resources of State Defendants and this Court.

WHEREFORE, Defendants Morgan, Peddicord, Craul, Fells, Kessler, Westmoreland and Glowczeski request that the Court grant an enlargement of time, until fifteen (15) days after the Court's disposition of State Defendants' Motion to Dismiss to answer Plaintiff's Complaint and Amended Complaint.

Respectfully submitted,

D. MICHAEL FISHER
Attorney General

By:


LINDA S. LLOYD
Deputy Attorney General
I.D. #66720

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**COUNSEL FOR STATE
DEFENDANTS**

Dated: January 14, 2002

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:
:
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:
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:

CERTIFICATE OF SERVICE

I, Linda S. Lloyd, Deputy Attorney General for the Commonwealth of Pennsylvania, hereby certify that on January 14, 2002, I served a true and correct copy of the foregoing Motion for Enlargement of Time to Answer Plaintiff's Complaint and Amended Complaint, by causing it to be deposited in the United States Mail, first-class postage prepaid to the following:

Tyrone P. James
York County Prison
3400 Concord Road
York, PA 17402

Donald L. Reihart
Law Office of Donald L. Reihart
2600 Eastern Blvd., Suite 204
York, PA 17402


LINDA S. LLOYD
Deputy Attorney General